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*Attorneys for the State of California,
State Board of Equalization*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

CIRCUIT CITY STORES, INC., et al.,

Debtors.

Chapter 11

Case No. 08-35653 (KRH)

Jointly Administered

NOTICE OF MOTION AND NOTICE OF HEARING

PLEASE TAKE NOTICE that on May 3, 2011, the State of California, State Board of Equalization (the "BOE"), by and through its counsel, filed with the Court its Motion (i) to Reconsider and Vacate Prior Order of the Court Expunging Claim Number 13049; and (ii) Deem Claim Number 13049 Timely Filed (the "Motion").

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in these bankruptcy cases. (If you do not have an attorney, you may wish to consult one.) Under Local Bankruptcy Rule 9013-1, unless a written response to the Motion is filed with the Clerk of the Court and served on the moving party no later **five (5) business days before the scheduled hearing date**, the Court may deem any opposition waived, treat the Motion as conceded, and issue an order granting the requested relief without further notice of hearing.

If you do not want the Court to approve the Motion, or if you want the Court to consider your views on the Motion, then you or your attorney must:

1. File with the Court, either electronically or at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H):

Clerk of Court
United States Bankruptcy Court
701 East Broad Street, Suite 4000
Richmond, VA 23219

2. Deliver a copy of the response to all parties listed on the attached Certificate of Service and to:

William H. Schwarzschild, III, Esq.
R. Joseph Noble, Esq.
Williams Mullen
200 South 10th Street, Suite 1600
Richmond, VA 23219

Todd E. Duffy, Esq.
Dennis J. Nolan, Esq.
Anderson, Kill & Olick, P.C.
1251 Avenue of the Americas
New York, New York 10020-1182

3. Attend the hearing scheduled for **June 29, 2011 at 2:00 p.m.** before the Honorable Kevin R. Huennekens, U.S. Bankruptcy Court, Eastern District of Virginia, Richmond Division, Room 5000, United States Courthouse, 701 E. Broad Street, Richmond, Virginia 23219.

If you and your attorneys do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion, may deem the opposition waived, treat the Motion as conceded, and enter an order granting the requested relief without further notice of hearing.

Dated: Richmond, Virginia
May 9, 2011

**STATE OF CALIFORNIA,
STATE BOARD OF EQUALIZATION**

By: /s/ William H. Schwarzschild, III
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*Counsel for the State of California,
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CERTIFICATE OF SERVICE

I hereby certify that I have, this 9th day of May, 2011, caused the service of a copy of the foregoing Notice of Motion and Notice of Hearing to be sent to the following parties, by first class mail, postage prepaid, at the following addresses and electronically to the parties set forth on the Court's ECF Service List, in this case.

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Office of the U. S. Trustee

/s/ William H. Schwarzschild, III